

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK

Louis Diaz, Gregory Korniloff and Jack Toal,
on behalf of themselves and as representatives
of the Class,

Plaintiffs,

v.

NBC Universal, Inc.,

Defendant.

Civil Action No. 08-CV-00401 (CM)

Electronically Filed

**NOTICE RE NON-FILING OF
VENUE MOTION**

In response to the request of the Court made during a telephonic hearing in this matter on January 23, 2008, defendant NBC Universal, Inc. gives notice that it is not filing a motion to transfer venue under 28 U.S.C. § 1404(a) at this time.

Dated: New York, New York
January 25, 2008

Respectfully submitted,

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By: /s/
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AFFIDAVIT OF SERVICE

STATE OF NEW YORK)

: ss.:

COUNTY OF NEW YORK)

I, LESLIE MAJER, being sworn, say: I am not a party to the action, am over 18 years of age and reside in Brooklyn, New York. On January 25, 2008, I caused to be served the within NOTICE RE NON-FILING OF VENUE MOTION by email and by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to the following at the last known address set forth after their name:

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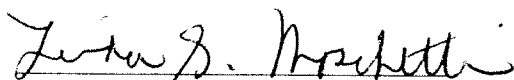
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Leslie Majer

Sworn to before me this
25th day of January 2008.



Notary Public
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Qualified in Bronx County
Term Expires August 31, 2010